

Rockport Board of Selectmen  
Tuesday, December 2, 2014

A meeting of the Rockport Board of Selectmen was held at 6:30 pm in Conference Room A in Town Hall; five selectpersons, the Town Administrator and the Asst. Town Administrator were present.

6:30 Meeting Called to Order

Executive Session – Value of Real Property: Executive Session – Value of Real Estate: Selectperson Battistelli moved that the Board of Selectmen enter Executive Session under MGL Chapter 30A, §21(a) for Exception #6 to discuss strategy with respect to Real Property, seconded by Selectperson Murphy, Roll Call Vote: Selectperson Battistelli – aye, Selectperson Lucas – aye, Selectperson Murphy – aye, Selectperson Sheedy – aye, Chairperson Wilkinson – aye, all in favor.

Executive  
Session – Value  
of Real Property  
Motion  
Approved

Pledge of Allegiance and Moment of Silence

Approval of Minutes of November 18, 2014: Selectperson Murphy moved that the Board of Selectmen approve the minutes of November 18, 2014, seconded by Selectperson Battistelli, Vote: 4-0, Selectperson Sheedy abstained as she was not present on 11/18/14.

Approval of  
Minutes of  
11/18/14  
Meeting  
Motion  
Approved

Selectmen Updates and Liaison Reports:

- Selectperson Murphy said the Town Hall Holiday Party is scheduled on 12/9/14 at the Community House from 5pm to 7pm; town offices will close at 5pm to allow staff to attend.
- Selectperson Battistelli commented on the suit filed against the DEP by the owners of the tool company; Rockport is not involved in the complaint. She said the owners didn't feel they needed to go through Chapter 91, the court has ruled that DEP and their regulatory process is applicable; the owner must go back to DEP and exhaust the administrative process. If they disagree after that, they can follow the appeals process.
- Selectperson Battistelli said funding for the plans for the MBTA construction is looking positive for a capital improvement plan for 2015; we will be following up with Sen. Tarr's office. She said we are still trying to see what can be done for this winter regarding idling times and the noise. She said DPW Commissioner Gardner has commented on the access to Evan's Field, and the possibility of speaking to the MBTA about moving or shortening the other track to increase access to the field.
- Selectperson Lucas stated that a flyer is going out tomorrow, to the whole town, regarding graffiti, the printer donated their services; town hall will send a thank you note.
- The annual tree lighting is 3:45pm this Saturday; Bill Aspesi donated the tree. This is the 30<sup>th</sup> anniversary of the Christmas in Rockport Committee.

Selectmen  
Updates &  
Liaison Reports:

Public Comment Period:

- Chairperson Wilkinson said that Town Hall has been attempting to contact T. Arsenian, regarding the Yankee Clipper. She recommended that T. Arsenian contact the Building Inspector about this. T. Arsenian, 95 Granite Street, said he is less than pleased with the comments about the MBTA, he said what is proposed is not an advantage to the town. One of the things planned is to destroy the historic stonewall along the edge of Evan's Field. He requested that the Board of Selectmen protest these plans with the historic commission, he said they are not going to fix the drainage.
- Gregory Blaha, 133 Granite Street, read a letter he wrote to the Board of Selectmen; he is opposed to the recent helicopter landing by Mr. Roma. He said the FAA issues safety applications not permits; a heliport is not allowed in a residential area in

Public Comment  
Period

Rockport. The Town Administrator said town hall followed up, and zoning enforcement sent a notice of violation to Mr. Roma on 11/24/14. The fine is up to \$300/day or each landing time. Chairperson Wilkinson said she reached out to the town's original contact person at the FAA, he had moved to Texas. He has been helpful and provided names of other individuals to contact. Chairperson Wilkinson said we are being proactive on this; town counsel is involved.

- Z. Seppala, 92 Granite St., said he has been following up with the land court regarding the tool company. He said houses don't fit the category of extending commerce and trade; he would appeal on that basis. Z. Seppala said he spoke to Ben Lynch/DEP, he was told that the decision has been made by DEP, it is in the process of being sent out; there are 21 days to appeal the decision.
- Frederick Tarr, 154 Main Street, said he recently attended the annual meeting of the MAPC, it's been 50 years since the town has been promised a railroad station; the drainage has never been corrected. He would like a replacement to take his position on that committee as Rockport's representative; he would like to submit his resignation.

Town Administrator's Report: The Asst. Town Administrator said there are two individuals applying for the Town Accountant position; they were recruited through the placement firm. The Town Administrator invited any board members to participate in the interviews. The Town Administrator said she just received notification from National Grid saying that they are going to be doing some herbicide work in the area, they are giving the public 21 days for a feedback period; the Board of Health and the Conservation Commission should be involved on this.

#### Action List

- Appointments to Police Chief Screening Committee: Selectperson Battistelli moved that the Board of Selectmen appoint the five (5) following individuals to the ad hoc Police Chief Screening Committee based on their government functions: Selectpersons, Murphy and Sheedy, School Superintendent Rob Liebow, Town Administrator Linda Sanders, and Personnel Board Representative Elwin Richter, seconded by Selectperson Sheedy, Vote: 5-0.  
Chairperson Wilkinson commented on the process for filling the Police Chief vacancy. She said the 9-member committee is to be made up of members of various town boards and citizens. Selectperson Murphy said he would like to point out that not all towns/cities put together these screening committees. He said this is the right thing to do, to slow down the process and involve people that represent various constituencies in town. The Asst. Town Administrator said we already have over 40 interested applicants. T. Arsenian inquired what the charge is for the committee. The Town Administrator said the charge is to screen the applicants and have 3 to 5 finalists to put before the Board of Selectmen.

Chairperson Wilkinson read the names of those who have applied to be on the committee: Sgt. Tim Frithsen, Patrol Officer & Police Officer's Union representative Colleen Daniels, Bruce Reed, Alan Thompson, Ellen Canavan, Sandy Jacques, Steve Sheehan, Maureen McCarthy, Armand Aparo, and Herb Wescott. She said the two interested police officers are not eligible due to advice received from Town Counsel, that a subordinate, serving as a voting member on a committee interviewing his or her eventual supervisor, could create lingering personnel and chain of command issues. She said there are seven candidates to fill the four remaining positions. A survey, submitted by BadgeQuest, will solicit the officer's input.

Selectperson Lucas moved to appoint Steve Sheehan to the Police Chief's Screening Committee, seconded by Selectperson Sheedy. Lucas said S. Sheehan's application letter showed no bias to having an opinion on the outcome of the decision. She said his

professional life indicates he is more than qualified to participate in this process; he is a VP of Human Resources and has been finding talent for many positions, Vote: 5-0.

Selectperson Sheedy moved to appoint Armand Aparo to the Police Chief's Screening Committee, seconded by Selectperson Murphy. She said A. Aparo has been involved in volunteer efforts in town and as a former selectperson, would be an asset to the committee, Vote: 5-0.

Appoint Armand  
Aparo to  
Screening  
Committee  
Motion Approved

Selectperson Murphy moved to appoint Sandy Jacques to the Police Chief's Screening Committee, seconded by Selectperson Lucas. He said S. Jacques is a former selectperson and finance committee member and has great knowledge of the town, Vote: 2-3, not approved.

Appoint Sandy  
Jacques to  
Screening  
Committee,  
Motion Denied

Selectperson Battistelli moved to appoint Bruce Reed to the Police Chief's Screening Committee, seconded by Selectperson Murphy. She said he grew up in Rockport and has a good perspective from several different angles and works well on committees, Vote: 5-0.

Appoint Bruce  
Reed to Screening  
Committee  
Motion Approved

Selectperson Murphy moved to appoint Alan Thompson as a member of the Police Chief's Screening Committee, seconded by Selectperson Sheedy. He said he was a 40 year veteran of the Mass. State police and a longtime resident of Rockport, Vote: 5-0.

Appoint Alan  
Thompson to  
Screening  
Committee  
Motion Approved

- Approval to Hire Replacement Library Custodians: Selectperson Lucas moved that the Selectmen approve the hiring of two Library Custodians to fill two vacant positions, seconded by Selectperson Sheedy, Vote: 5-0.

Hire Replacement  
Library  
Custodians  
Motion Approved

- Employee Merit Bonus Approval: Selectperson Murphy moved that the Selectmen approve the remaining pending merit bonus for the Council on Aging Director, seconded by Selectperson Sheedy, Vote: 5-0.  
The Town Administrator said she wanted to clarify that there was some confusion at the last meeting because the motion began with accepting the recommendation of the Personnel Board, but the Personnel Board had submitted a complete list of names. Then a separate list was developed without one name until the employee signed the evaluation; she wanted to clarify that the Personnel Board's recommendation included the names of all eligible employees. With this motion, the recommendation of the Personnel Board was carried out.

Remaining  
Employee Merit  
Bonus Approval  
Motion Approved

- CPA Grant Agreement with Rockport Art Association: Selectperson Sheedy moved that the Board of Selectmen approve and sign a CPA Grant Agreement with the Rockport Art Association for them to receive the amount of \$137,130 to rehabilitate the Rockport Art Association buildings and install handicap accessibility modifications to them, seconded by Selectperson Murphy, Vote: 5-0.

CPA Grant  
Agreement with  
Rockport Art  
Association  
Motion Approved

- Lease Agreement for 85 Long Beach: Selectperson Battistelli moved that the Selectmen approve and sign a lease agreement for 85 Long Beach with Beatrice DiLamore and Marguerite Devine to reflect a change of address, seconded by Selectperson Lucas, Vote: 5-0.

Lease Agreement  
for 85 Long  
Beach  
Motion Approved

- Lease Agreement for 47 Long Beach: Selectperson Lucas moved that the Selectmen approve and sign a lease agreement for 47 Long Beach with Dr. Robert J. McHugh and M. Joan Gillespie to reflect a change of address, seconded by Selectperson Murphy, Vote: 5-0.

Lease Agreement  
for 47 Long  
Beach  
Motion Approved

- **Sign Permit for Nine Lives Café:** Selectperson Murphy moved that the Board of Selectmen approve a sign permit for the Nine Lives Café as described and shown in their Sign Permit application dated November 24, 2014 seconded by Selectperson Sheedy.

Selectperson Murphy amended the motion and moved that the Board of Selectmen approve a temporary sign permit for the Nine Lives Café as described and shown in their Sign Permit application dated November 24, 2014, until March 1, 2015 seconded by Selectperson Sheedy, Vote: 5-0. This is a temporary sign; the permanent sign will be smaller.

## 8:00 Selectmen Briefing & Discussion

The three DPW Commissioners, the DPW Director and DPW Asst. Director were present.

- Town Roads/pavement software: DPW Chair Sena said, with the new software, they are now able to evaluate the troubled areas in town. He said they need to know what the town wants for curbing given the fiscal constraints; \$190,000 will come from Chapter 90. The work near the schools was about \$600,000, and that involved several years of funding. We get very few bidders when we put a request for bid out because our projects are so small. Chairperson Wilkinson said she likes granite curbs; she inquired if the town can purchase a few years out to keep costs down and budget and plan for multiple years. She inquired if there could be granite in the downtown areas and areas where there is a high amount of foot traffic. Commissioner Reed said granite is very expensive.
- Transfer Station/single stream: DPW Chairman Sena said we've been discussing this change and this will increase costs, perhaps by \$5/sticker. Selectperson Murphy said he is not in favor of increasing fees at all. Director Parisi said single stream works best in a curbside pick-up environment. It is more labor intensive to sort the trash out, so it is more costly, however it may increase recycling. We need more hard data on the benefits of single stream for Rockport. Developing an enterprise fund for the transfer station was discussed. DPW Commissioner Gardner said, if there were surpluses, that would allow funds to be carried over from one year to the next. The Town Administrator said the town would be subsidizing the transfer station enterprise fund because currently the transfer station is not self-sustaining. DPW Chair Sena said Rockport is a unique community with both pay-as-you-throw and flat fee availability. DPW Commissioner Reed said he and Director Parisi attended a course on enterprise funds; more and more communities are putting their waste into enterprise funds. Chairperson Wilkinson said this should be looked into because many communities are going single stream. She said she is hearing that residents would like the transfer station open on Sundays year round.
- Coastal work: Bearskin Neck Project: Director Parisi said there are many deliveries coming into town. Selectperson Battistelli suggested a cobblestone look at the top of Bearskin Neck. Selectperson Lucas recommended putting something where the viewfinders are to alert people about the steep drop there. **Back Beach Revetment:** we have met with FEMA, they are reviewing the project worksheets involved in Super Storm Sandy. J. Parisi said our engineers have designed a double layer design. J. Parisi said we brought in some stone; the jersey barriers will remain through the winter. **Pigeon Cove Seawall:** the design is nearly complete; we can meet with FEMA soon to finalize the project worksheet.
- Millbrook Meadow willow trees, there is a recommendation to take the willow trees down. Selectperson Battistelli recommended putting something in the newspaper about this. Director Parisi said the plan is to take the trees down after the ground freezes.
- Parking Ban: Selectperson Murphy commented on the current parking ban. He questioned if there was any support from the commissioners to modify the parking ban for subsequent years; it's too late for this year. He said he understands the issue around snow storms, but

says he finds it ludicrous to mandate that people get their cars off the road, regardless of the weather. He said people are forced to get their car off the road when there is no snow; it's very inconvenient for Bearskin Neck residents. He said other communities are using flashing lights and other methods; he said we could try something else for a period of time to see if it is effective. DPW Chair Sena said Rockport roads are very narrow and they can't be plowed sufficiently if the cars aren't removed. Chairperson Wilkinson said the DPW does such a great job on the roads during ice and snow; she said she hates to do anything to change that.

- Cathedral Avenue: One property owner posted signs indicating it is private. It used to be plowed, but should not be plowed in the future. The town owns property on the road. The people that live there can take action. The Town Administrator said she is reviewing this.
- Sediment Transport Study: There will be a presentation when residents are back on Long Beach.
- DPW barn: DPW Chairman Sena said it is obsolete; there is no room for improvement; it is not energy or cost efficient; and cannot handle and protect the new large equipment. He said new equipment is being left outside and staff should not be expected to work in that building. He said this is a top priority for the town and cannot be delayed any longer. The Asst. Town Administrator said the town is not ignoring this, the architects conducting the building study have been there once and they are returning. He said the architects have been told this is the number one priority. Selectpersons have toured the building; Selectperson Battistelli questioned if there could be an interim plan where some offices could be setup to move several staff members. Director Parisi said the focus should be working with the architects on this as we move forward. Selectperson Battistelli said there are several essential capital projects needed in town; decisions really need to be made on prioritizing these projects.

9:50 Selectperson Murphy moved to adjourn, seconded by Selectperson Sheedy, Vote: 5-0.

#### Warrant Signed:

Warrant signed for the Fiscal Year 2015 Payroll and Expenses for the week of 12/4/14 in the amounts of \$103,182.74 and \$329,889.80 respectively.

#### Items Signed:

47 Long Beach Lease

85 Long Beach Lease

Rockport Art Association, Community Preservation Act

Eliza's Top Dog, Common Victualler

Ellen's Coffee Shop, Common Victualler

Dichyant (Madan Man Mahat) Common Victualler

Cape Ann Gifts, Bearskin Neck, Common Victualler

Rockport Music, Common Victualler

Cumberland Farms, Common Victualler

Carol Tuck, Tuck's Retail, Common Victualler

Seaside Pizzeria, Common Victualler

7<sup>th</sup> Wave Restaurant, Common Victualler

Lucky K&E, New Hong Kong Restaurant Common, Victualler's Permit

R. W. Emerson's Inn by the Sea, Innholder's Permit

Eden Pines, Innholder's License

Seafarer Inn, Innholder's Permit

Addison Choate, Inc, Innholder's Permit

Lantana House, Innholder's Permit

Lamplighter Lodge, Lodging House Permit  
The Sea Robin, Lodging House Permit  
Rocky Shores, Inc., Lodging House Permit  
Inn on Cove Hill, Lodging House Permit  
The Quarterdeck by the Sea, Lodging House Permit  
Tregony Bow Guest House, Lodging House Permit  
Karen Herlitz, Rockport Music, Entertainment License  
Ellen's Harborside, Entertainment License  
R. W. Emerson's By the Sea, Entertainment License  
Jeff Young, Gloucester Taxi & Livery Service, Buick LeSabre  
Jeff Young, Gloucester Taxi & Livery Service, 2004 Dodge Caravan  
Jeff Young, Gloucester Taxi & Livery Service, 2001 Dodge Caravan  
Jeff Young, Gloucester Taxi & Livery Service, 2002 Dodge Grand Caravan  
Jeff Young, Gloucester Taxi & Livery Service, 2003 Buick LeSabre  
Jeff Young, Gloucester Taxi & Livery Service, 2002 Buick LeSabre  
Jeff Young, Gloucester Taxi & Livery Service, 2002 Dodge Caravan